

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
Civil Action No.: 7:15-cv-187-H

THOMAS CANNON, JESSE CONNER,
DONALD KOONS, and NICHOLAS
TERRELL
Plaintiffs,
vs.
VILLAGE OF BALD HEAD ISLAND,
NORTH CAROLINA; CALVIN PECK, in
his individual capacity; and CAROLINE
MITCHELL, in her individual capacity.
Defendants

MEMORANDUM IN SUPPORT OF
PLAINTIFFS' MOTION TO EXTEND
LENGTH OF RESPONSE

Now Comes the Plaintiffs, by and through counsel, and submits this Memorandum in Support of their Motion to Extend the Length of their Response for a 15 page extension in the number of pages for a combined Plaintiffs' Response to the Motions for Summary Judgment filed by Defendant Village of Bald Head Island and Calvin Peck in his individual capacity; and Caroline Mitchell, in her individual capacity. The grounds for Plaintiffs' Motion are as follows:

1. Defendants submitted two separate Motions and Memoranda of Law for Summary Judgment. One set on behalf of Defendants Village of Bald Head Island and Calvin Peck in his individual capacity and one set on behalf of Carolina Mitchell in her individual capacity.
2. The claims and defenses against all Defendants arise out of the same set of facts and circumstances.
3. The Memorandum in Support of the Summary Judgment by Defendants Village of Bald Head Island and Calvin Peck totaled 30 pages with a separate "Statement of Undisputed Facts" totaling an additional 8 pages.

4. The Memorandum in Support of the Summary Judgment by Defendant Caroline Mitchell in her individual capacity totaled 21 pages with a separate "Statement of Undisputed Facts" totaling an additional 3 pages.
5. Rather than two separate Responses with a page limit of 30 pages each, and additional responses to the separate Statements of Undisputed Facts, in the interest of judicial economy and brevity of argument, the Plaintiffs respectfully request the court to allow a single combined Response to both Motions for Summary Judgment, with a page extension of 15 pages, for a total page limit of 45 pages.
6. Counsel for Defendants has consented.

This the 19th day of October, 2016

/s/ Bradley A. Cox

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this day the foregoing document in the above-captioned matter was duly served on all parties to this cause through electronic means by CM/ECF.

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This the 19 day of October, 2016.

/s/ Bradley A. Cox

BRADLEY A. COXE